

R E M A R K S

Claims 10 through 18, 20, 22, 23 and 25 through 30 are in the application, with Claims 10, 13, 14, 15, 17, 20, 22, 23 and 25 having been amended, with Claims 1 through 9, 19, 21 and 24 having been cancelled, and with Claims 26 through 30 having been added. Claims 10, 20 and 23 are the independent claims herein. No new matter has been added. Reconsideration and further examination are respectfully requested.

A new Declaration is enclosed herewith in response to the requirement therefor. Withdrawal of the requirement is respectfully requested.

The specification has been amended to address the informality noted in the Office Action. Withdrawal of the objection to the specification is therefore respectfully requested.

Claims 1 through 4 are rejected under 35 U.S.C. §102 as allegedly anticipated by U.S. Patent No. 5,616,924 ("Petrillo"); Claims 20 through 24 are rejected under 35 U.S.C. §102 as allegedly anticipated by U.S. Patent No. 5,003,572 ("Meccariello"); Claims 5 through 7 are rejected under 35 U.S.C. §103 over Petrillo in view of U.S. Patent No. 4,852,131 ("Armistead"); Claims 8 through 15 and 19 are rejected under 35 U.S.C. §103 over Petrillo in view of U.S. Patent No. 4,205,231 ("Pochwalski"); and Claims 16 through 18 are rejected under 35 U.S.C. §103 over Petrillo in view of Pochwalski, and further in view of Armistead. Reconsideration and withdrawal of the rejection are respectfully requested.

Claim 10

Amended independent Claim 10 relates to a scintillator to emit light and imaging elements to capture image information based on received light. Claim 10 also recites a first optical filter controllably movable from a first position that is between the scintillator and the imaging elements to a second position that is not between the scintillator and the imaging elements. Moreover, a second optical filter is provided that is controllably movable from a third position between the scintillator and the imaging elements to a fourth position not between the scintillator and the imaging elements.

The art of record is not seen to disclose or to suggest the foregoing features of amended independent Claim 10. In particular, the art of record is not seen to disclose or to suggest at least a first optical filter controllably movable from a first position between a scintillator and imaging elements to a second position not between the scintillator and the imaging elements, and a second optical filter controllably movable from a third position between the scintillator and the imaging elements to a fourth position not between the scintillator and the imaging elements.

As acknowledged in the Office Action, Petrillo lacks any disclosure of an optical filter that is movable from a position between a scintillator and imaging elements and a position that is not between the scintillator and the imaging elements. Pochwalski is not seen to remedy the deficiencies of Petrillo.

Pochwalski describes vial 2 from which light may be emitted. The light emitted may be captured and amplified by photomultiplier tubes 3. Spring 6 surrounds vial 2, and bush 4 may be rotated to control a density of the turns of spring 6 surrounding vial 2. The turns of spring 6 surrounding vial 2 block the transmission of light from vial 2 by various degrees that depend on the density of the turns.

Spring 6 simply cannot be seen to disclose or to suggest a first optical filter and a second optical filter. Consequently, Pochwalski also cannot be seen to disclose or to suggest a first optical filter controllably movable from a first position between a scintillator and imaging elements to a second position not between the scintillator and the imaging elements, and a second optical filter controllably movable from a third position between the scintillator and the imaging elements to a fourth position not between the scintillator and the imaging elements. The computed tomography system of Armistead and the imaging aperture control system of Meccariello have been thoroughly studied and are not seen to provide any disclosure that is relevant to the above-described deficiencies.

Amended independent Claim 10 is therefore believed to be in condition for allowance. Claims 11 through 18 and 26 depend from Claim 10 and are therefore also believed to be allowable for at least the foregoing reasons.

Claims 20 and 23

Amended independent Claim 20 concerns the determination of a radiation dose to be received by a scintillator, the determination of an expected amount of light to be emitted from

the scintillator based at least on the determined radiation dose, and control of a first optical filter and a second optical filter based at least on the expected amount of light. The first optical filter is movable from a first position between the scintillator and imaging elements to a second position not between the scintillator and the imaging elements, and the second optical filter is movable from a third position between the scintillator and the imaging elements to a fourth position not between the scintillator and the imaging elements.

The art of record is not seen to disclose or to suggest the foregoing features of amended Claim 20, at least with respect to control of a first optical filter and a second optical filter based at least on the expected amount of light, wherein the first optical filter is movable from a first position between the scintillator and imaging elements to a second position not between the scintillator and the imaging elements, and the second optical filter is movable from a third position between the scintillator and the imaging elements to a fourth position not between the scintillator and the imaging elements.

As described above, Meccariello as well as the other art of record fails to disclose or to suggest a first optical filter and a second optical filter as recited in Claim 20. Meccariello, in particular, only discloses controlling a size of an imaging aperture based on an intensity of incoming light. Since the art of record fails to disclose or to suggest the claimed first optical filter and second optical filter, the art of record also fails to disclose or to suggest control of a first optical filter and a second optical filter based at least on an expected amount of light determined.

Claim 20 and its associated dependent claims are believed to be allowable. Claim 23 relates to a medium storing processor-executable process steps roughly corresponding to the method of Claim 20 and is therefore also believed to be in condition for allowance.

C O N C L U S I O N

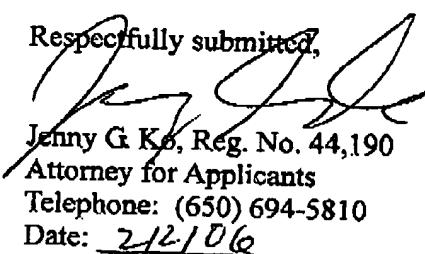
The outstanding Office Action presents a number of characterizations regarding each of the applied references, some of which are not directly addressed herein because they are not related to the rejections of the independent claims. Applicants do not necessarily agree with the characterizations and reserve the right to further discuss those characterizations.

For at least the reasons given above, it is submitted that the entire application is in condition for allowance and such action is respectfully requested at the Examiner's earliest convenience. Alternatively, if there remains any question regarding the present application or any of the cited references, or if the Examiner has any further suggestions for expediting allowance of the present application, the Examiner is cordially requested to contact the undersigned via telephone at (650) 694-5810.

PLEASE MAIL CORRESPONDENCE TO:

Siemens Corporation
Customer No. 28524
Attn: Elsa Keller, Legal Administrator
170 Wood Avenue South
Iselin, NJ 08830

Respectfully submitted,


Jenny G. Ko, Reg. No. 44,190
Attorney for Applicants
Telephone: (650) 694-5810
Date: 2/2/06